

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**PAUL BORDE and
FOREST BOSTICK,**

Petitioners,

v.

No. CIV 09-1185 WDS/GBW

**BOARD OF COUNTY COMMISSIONERS
OF LUNA COUNTY, NEW MEXICO, and
JOHN SUTHERLAND, R. JAVIER DIAZ
and FRED WILLIAMS, in their individual
capacities,**

Defendants.

ORDER FOR SUPPLEMENTAL BRIEFING

This matter is before the Court *sua sponte*. On July 22, 2011 the parties filed a Notice of Completion of Briefing in connection with Defendants' Motion to Dismiss Counts I, II, and III. (Document No. 65) On September 13, 2011, the Court entered its order granting Defendants' Motion to Dismiss Count IV of the Complaint, finding the contracts at issue in this case unconstitutional. The parties are each directed to file a supplemental brief addressing the issue of what impact, if any, the Court's September 13, 2011 order has on the issues presented in the pending Motion to Dismiss. The supplemental briefs are due October 21, 2011. If either party wishes to file a reply to the other party's supplemental brief, those reply briefs are due November 1, 2011.

IT IS SO ORDERED.



W. Daniel Schneider
United States Magistrate Judge